IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

CHAMBER SUMMONS NO.997 OF 2004
IN
NOTICE OF MOTION NO.654 OF 2004
IN
SUIT NO.645 OF 2004

Taramati Vithaldas Ajugia ...Plaintiffs
vs.
Bharat Vithaldas Ajugia ...Defendants
AND
Smt. Lilavati alias Lalitaben
Lavji Ajugia ....Defendants

P.M. Shah for the plaintiffs.

S.B. Amin for defendant no.3.

CORAM: S.U. KAMDAR, J.

DATE : 12TH APRIL, 2005.

P.C. :

1. The present chamber summons is taken out to add applicant as defendant no.3 and consequential amendments. The suit is filed in respect of the property of the deceased. The applicant is admittedly the daughter of the said deceased. The suit has been filed by the daughter in law of the said deceased. In my opinion the applicant's

daughter is entitled to be impleaded as party to the suit. However learned counsel for the plaintiff states that the applicant has one-fifth share. The said issue has to be determined at the hearing of the petition. If the applicant is added as defendant no.2 and if necessary the guardian-ad-litem is appointed.

. Chamber summons made absolute in terms of prayer clause (a) and (b).

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